

Message Text

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41

ACTION L-02

INFO OCT-01 ARA-06 EUR-12 ISO-00 SNM-02 JUSE-00 DEAE-00

SY-04 CIAE-00 INR-07 NSAE-00 RSC-01 SCA-01 SSO-00

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P R 171819Z JAN 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 5975

INFO AMCONSUL MARTINIQUE

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E.O. 11652: N/A

TAGS: CPRS, PFOR, SNAR, MB, FR

SUBJECT: EXTRADITION - BETTANCOURT ET ALL

REF: STATE 11042

1. EMBOFF CALLED ON MME. BACCRO AND M. FROMONT, MINISTRY OF JUSTICE, JANUARY 17 TO DISCUSS QUESTIONS RAISED REFTEL. UNDER FRENCH PROCEDURE IT APPEARS THAT ARCHIBALD MAY NOT WAIVE EXTRADITION HEARING. HE MAY CONSENT TO EXTRADITION, BUT HIS PLEA OF CONSENT CAN BE MADE ONLY WHEN CASE APPEARS BEFORE CHAMBRE D'ACCUSATION. THE COURT THEN MAY QUESTION HIM TO DETERMINE THAT CONSENT IS IN FACT VOLUNTARY AND IF SATISFIED WOULD RENDER AN "AVIS DE CONSENTEMENT" RATHER THAN A DECISION TO ACCORD OR REFUSE EXTRADITION. "AVIS DE CONSENTEMENT" IS THEN FORWARDED TO MINISTRY OF JUSTICE, WHERE PROCEDURE FOR APPROVAL OF EXTRADITION IS GREATLY SIMPLIFIED.

2. AS ARCHIBALD'S PLEA CONSENTING TO EXTRADITION WOULD BE MADE IN OPEN COURT, THERE APPEARS TO BE NO WAY HIS DECISION COULD BE CONCEALED FROM OTHER FUGITIVES. MOREOVER, AS CASE OF THE THREE ACCUSED FORMS ONE EXTRADI-
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TION CASE IN FRENCH VIEW, ARCHIBALD'S PLEA WOULD BE

HEARD IN SAME HEARING AS CASE AGAINST THE OTHER TWO.
BACCRO AND FROMONT DID NOT THINK CONSENT BY ARCHIBALD
WOULD PREJUDICE EXTRADITION CASE AGAINST BETTANCOURT
AND GOMEZ.

3. MINISTRY OF JUSTICE HERE IS READY TO COOPERATE IN
EVERY WAY POSSIBLE TO EXPEDITE THIS CASE. HOWEVER, IT
APPEARS UNREALISTIC TO THINK THAT DOCUMENTS RECEIVED
HERE NEXT WEEK COULD BE TRANSMITED TO MARTINIQUE, HEAR-
ING BEFORE CHAMBRE D'ACCUSATION SCHEDULED, DECISION OF
CHAMBRE D'ACCUSATION FORWARDED TO PARIS, AND THE REQUI-
SITE PAPERWORK COMPLETED HERE TO PERMIT EXTRADITION BY
MID-FEBRUARY. MME. BACCRO POINTED OUT, ALSO, THAT
FRENCH CHARGES AGAINST THE THREE HAVE NOT BEEN DROPPED,
AND THAT EXTRADITION IN ANY CASE COULD NOT BE GRANTED
UNTIL REQUIREMENTS OF FRENCH JUSTICE HAVE BEEN MET.
RUSH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
Control Number: n/a
Copy: SINGLE
Draft Date: 17 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975PARIS01506
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750019-0192
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750142/aaaabksy.tel
Line Count: 78
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 11042
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 13 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 MAY 2003 by BoyleJA>; APPROVED <13 MAY 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION - BETTANCOURT ET ALL
TAGS: CPRS, PFOR, SNAR, MB, FR, US, (ARCHIBALD)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006